UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,615	10/19/2001	Sunil S. Kadam	NA01-20501	2990

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EXAMINER
ABRISHAMKAR, KAVEH

ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/027,615	KADAM ET AL.
	Examiner	Art Unit	
	Kaveh Abrishamkar	2131	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 August 2006</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,2,4-9,12-16,18-21,23 and 25</u> is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1,2,4-9,12-16,18-21,23 and 25</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
   1.☐ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date 10/21/A1
4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

1.   This action is in response to the communication filed on August 22, 2006.

Claims 1-2, 4-9, 12-16, 18-21, 23, and 25 are currently being considered.

Response to Arguments

2.   Applicant's arguments, see Arguments pages 2-4, filed August 22, 2006 with

respect to the rejection(s) of claim(s) 1-2, 4-9, 12-16, 18-21, 23, and 25 under King

(U.S. Publication No. 2002/0178028 A1) have been fully considered and are

persuasive. Therefore, the rejection has been withdrawn. However, upon further

consideration, a new ground(s) of rejection is made in view of Colvin (U.S. Patent

6,799,277).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-2, 4-9, 12-16, 18-21, 23, and 25 are rejected under 35 U.S.C. 102(e) as

being anticipated by Colvin (U.S. Patent 6,799,277).

        Regarding claim 1, Colvin discloses:

        A method to facilitate software installation using embedded user credentials,

comprising:

                receiving a software installation package at a computer (column 7 lines

15-30), wherein the software installation software is received via a computer-readable

storage medium or by downloading the software via a network;

        extracting an installation program from the software installation package (column

10 lines 29-45);

        determining if a current user has sufficient privileges to run the installation

program (column 10 lines 29-45), wherein user authentication information is checked

before a user is permitted to install the software;

        if the current user does not have sufficient privileges, recovering a set of user

credentials that is associated with sufficient privileges to run the installation program

from the software installation program (column 10 lines 46-52), wherein additional

information may be automatically generated if the user is not authorized with the current

set of credentials; and

        authenticating to the computer using the set of user credentials (column 9 line 63

– column 10 line 18), wherein a new set of passwords associated with a serial number

is stored and used to authorize a user;

running the installation program on the computer (column 12 lines 5-11);

wherein the software installation program includes a plurality of sets of user

credentials (column 10 lines 1-15), wherein there is a plurality of sets of serial numbers

and associated passwords for subsequent authorizations;

wherein the plurality of sets of user credentials each include a user name and an

associated password (column 12 lines 1-11), wherein the user name and password is

interpreted as the serial number of the machine and the associated password;

wherein an error message is displayed if none of the sets of user credentials are

associated with sufficient privileges to run the installation program from the software

installation package (column 10 lines 42-47).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Colvin discloses:

The method of claim 1, wherein the software installation package includes an

agent, wherein the agent enforces security policies on the computer (column 6 lines 31-

40).

Claim 4 is rejected as applied above in rejecting claim 1. Furthermore, Colvin discloses:

The method of claim 1, further comprising:

recovering a second set of user credentials from the plurality of sets of user

credentials if the set of user credentials failed during authentication (column 9 lines 23-

36, column 10 lines 5-17), wherein subsequent passwords are used when the first

password is no longer sufficient for authorizing the user; and

authenticating to the computer using the second set of user credentials (column 9 lines 23-36, column 10 lines 5-17).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Colvin discloses:

The method of claim 1, wherein the set of user credentials is encrypted (column 15 lines 1-9).

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Colvin discloses:

The method of claim 1, wherein the software installation package is received over a network (column 7 lines 15-30).

Claim 7 is rejected as applied above in rejecting claim 1. Furthermore, Colvin discloses:

The method of claim 1, wherein the software installation package is received on a storage medium (column 7 lines 15-30).

Claim 23 is rejected as applied above in rejecting claim 1. Furthermore, Colvin discloses:

The method of claim 1, wherein the installation program is run from a remote computer without the knowledge of the current user (column 6 lines 31-40), wherein the monitoring program runs in the background.

Claim 25 is rejected as applied above in rejecting claim 1. Furthermore, Colvin

discloses:

The method of claim 1, further comprising:

determining if a subsequent set of user credentials from the plurality of sets of

user credentials are available in the software installation package if the set of user

credentials failed during authentication (column 9 lines 23-36, column 10 lines 5-17),

wherein subsequent passwords are used when the first password is no longer sufficient

for authorizing the user;

recovering the subsequent set of user credentials from the plurality of sets of

user credentials included in the software installation package if it is determined that the

subsequent set of user credentials is available authentication (column 9 lines 23-36,

column 10 lines 5-17), wherein subsequent passwords are used when the first

password is no longer sufficient for authorizing the user; and

authenticating a second time to the computer using the subsequent set of user

credentials (column 9 lines 23-36, column 10 lines 5-17).

4.   Claims 8-9, and 12-14 are computer-readable medium claims analogous to the

method claims 1-2, 4-7, 23 and 25 rejected above, and therefore, are rejected under the

same reasoning.

5.   Claims 15-16, and 18-21 are apparatus claims analogous to the method claims

1-2, 4-7, 23, and 25 rejected above, and therefore, are rejected under the same

reasoning.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-

272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KA
10/30/2006

CHRISTOPHER REVAK
PRIMARY EXAMINER